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July 24, 2023

**Via ECF**

Hon. Edward S. Kiel, U.S. Magistrate Judge  
United States District Court, District of New Jersey Newark  
Frank R. Lautenberg U.S.P.O. & Cthse. - Room 451  
2 Federal Sq.  
Newark, NJ 07102

Re: *Medieval Times USA., Inc. v. Medieval Times Performers United, et al*,  
Civil Action No. 2:22-cv-06050-WJM-ESK

Dear Judge Kiel:

I am co-counsel for the Defendants in the above matter. I regret to report that despite the efforts of both parties to arrive at a successful conclusion to the mediation that commenced on July 18, 2023. Defendants (and I am sure Plaintiffs join) in thanking mediator Michael Friscia, Esq., for his hard work in trying to bring the parties together.

Given the failure of mediation, Defendants request that the administrative discontinuance [ECF #23] of Defendants' Motion to Dismiss [ECF #11] be vacated and that the Motion be set down for oral argument.

We thank the Court for its continuing courtesies.

Very Truly Yours,

/s/ David Tykulsker

David Tykulsker

cc: All Counsel of record (via ECF)